

REMARKS/ARGUMENTS

Claims 1-18 were previously pending in the application. The Applicants acknowledge the withdrawal of Claims 16-18 under 37 C. F. R. 1.142(b) and hereby cancel said claims. Accordingly, Claims 1-15 remain in the application. All claims stand rejected on various grounds.

Claims 1, 4, 10, & 11 have been amended. Claims 9 and 16-18 are cancelled without prejudice. Moreover, new Claims 19-21 have been added. Accordingly, Claims 1-8, 10-15, and 19-21 are now pending in this application. No new matter has been added. Reconsideration and allowance are respectfully requested.

Amendments to the Title:

In accordance with the suggestion and guidance of the Examiner, a more descriptive title has been supplied. Accordingly, the Applicants submit that this objection has been overcome. Therefore, Applicants respectfully request that this objection to the Specification be withdrawn.

Objections to Claims 9 & 10:

Applicants thank the Examiner for his kind indication of allowable subject matter as to Claims 9 and 10. Accordingly, the applicants have amended Claim 1 to include all limitations of Claim 9. Accordingly it is respectfully submitted that Claim 1 is now in condition for allowance. Accordingly, Claim 9 has been cancelled. Moreover, Claim 10 has been amended to now depend from Claim 1. Thus, Claim 10 should also be allowable. Therefore, the applicants submit that the objections to Claims 9 & 10 should be withdrawn

Claim Rejections Under 35 U.S.C. §103:

Claims 1-8 and 11-15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the U.S. Patent to *Solo de Zaldivar* (USPN 5,610,084 hereinafter "Zaldivar") in view of several different references.

Claims 1-8

Claims 1-8 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Zaldivar* in view of *Soleimani et al* (USPN 5,330,920 hereinafter "Soleimani"). As explained above, the Examiner has pointed out that Claim 9 is allowable if it incorporates all intervening and base limitations. Accordingly, Claim 1 is amended to incorporate the limitations of dependent Claim

9. Therefore, for at least that reason, Claim 1 should be allowable. As a result, the applicants request that the rejection of Claim 1 be withdrawn.

Additionally, Claim 4 has been amended to recite a range of 5-50 keV as set forth in the Specification at page 7: line 11 and elsewhere.

Additionally, dependent Claims 2-8 are also believed to be allowable for at least the reasons advanced in support of Claim 1 above. Thus, the applicants respectfully submit that the amendments to Claim 1 render Claims 1-8 allowable. Therefore, the applicants respectfully request that the rejections of Claims 1-8 be withdrawn and that these claims be allowed to issue.

Claims 11-15

Claims 11-15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Zaldivar* in view of *Chiao et al* (USPN 4,757,359 hereinafter “*Chiao*”) or alternatively in view of *Chiao* and *Soleimani*.

Claim 11 has been amended to capture certain patentable aspects. Amended Claim 11 recites:

“growing an oxide dielectric layer on the nitrided first portion using a wet oxidation process that exposes the nitrided first portion to an ambient consisting of water”

This is important for numerous reasons, including those explained in the Specification (e.g., at page 8: lines 14-17 and elsewhere). The cited art (e.g., *Soleimani*) does not use a pure water ambient. In fact, *Soleimani* requires O₂ gas to achieve the oxide growth. Given that the invention uses water or OH radicals to promote oxidation of Si surface not O₂, it can't be said that the cited art teaches or suggests the invention. Thus, the cited art, alone or in any reasonable combination, does not teach all of the claim limitations recited in Claim 11. Accordingly, the cited art fails to establish a *prima facie* case of obviousness with respect to Claim 11 as amended. Therefore, it is respectfully requested that this ground for rejecting Claim 11 be withdrawn.

Additionally, dependent Claims 12-15 are also believed to be allowable for at least the reasons advanced in support of Claim 11 above. Thus, the applicants respectfully submit that the amendments to Claim 11 render Claims 12-15 allowable. Therefore, the applicants respectfully request that the rejections of Claims 11-15 be withdrawn and that these claims be allowed to issue.

New Claims:

New Claims 19-21 have been added to capture additional patentable subject matter.

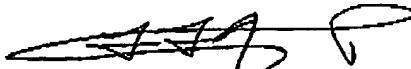
Claim 19 recites “exposing the nitrogen implanted active region to an oxidizing ambient

consisting of water thereby growing an oxide layer on the nitrogen implanted active region". This limitation is not taught or suggested by any of the cited art. As for **Claim 20**, this claims is slightly more precise reciting "exposing the nitrogen implanted active region to an oxidizing ambient includes an ambient consisting of H and OH radicals". This limitation is not taught or suggested by any of the cited art. For at least the reasons the applicants submit that these claims are also allowable.

Conclusion

Applicants respectfully submit that based on the amendments and remarks made herein that all pending claims (**Claims 1-8, 10-15, and 19-21**) are in condition for allowance and therefore respectfully request a Notice of Allowance for this application from the Examiner. The Examiner is cordially invited to contact the applicants' attorney to discuss any matters concerning this case. If the Examiner wishes to contact the applicants' attorney by telephone, he can be contacted at the telephone number set forth below.

Respectfully submitted,
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